

REMARKS

Claims 1-20, and 22-36 are pending in this application. Reconsideration of the rejections of all claims and allowance are earnestly solicited in view of the amendments and the following remarks.

Rejection of Claims under 35 USC §103(a)

A.) Applicable Authority

The basic requirements of a *prima facie* case of obviousness are summarized in MPEP §2143 through §2143.03. In order “[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success [in combining the references]. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)”. See MPEP §2143. Further, in establishing a *prima facie* case of obviousness, the initial burden is placed on the Examiner. “To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 USPQ 972, 972, (Bd. Pat App. & Inter. 1985).” *Id.* See also MPEP §706.02(j) and §2142.

B.) Obviousness Rejection Based on Sim et al in view of VanRooven.

Claims 1-4, 6-12, 14-20, and 22-36 were rejected under 35 U.S.C. § 103(a) as being obvious over US Publication No. 2002/0083187 to Sim et al. (hereinafter the “Sim reference”) in view of US Patent 6,523,036 to VanRooven et al. (hereinafter the “VanRooven reference”). As the Sim reference and the Van Rooven reference, whether taken alone or in combination, fail to teach or suggest all limitations of the rejected claims, these rejections are respectfully traversed.

Independent claim 1 is directed to a database storage system for providing storage for metadata sets, where each metadata set is related to a file uploaded by a user over a network. The database storage system comprises a plurality of database storage facilities for storing the metadata sets and each storage facility comprises at least two logically partitioned sections. *At least one database storage facility stores a first original metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original metadata set, the second original metadata set located in another database storage facility, in another logically partitioned section of the at least one database storage facility, such that storing the first original metadata set and the copy of the second original metadata set is based on an user identifier.* The database storage system further comprises a file management component for managing metadata storage in order to store each metadata set in more than one logically partitioned section and in more than one database storage facility.

Independent claim 9 is directed to a method for providing storage for metadata sets for multiple users where each metadata set is related to a file uploaded by a user over a network. The method comprises dividing a plurality of database storage

facilities into at least two logically partitioned sections. *The method further comprises storing an original metadata set in a logically partitioned section of at least one of the plurality of database storage facilities, wherein storing the original metadata set is based on an user identifier. The method additionally comprises storing a copy of an original metadata set located in another database storage facility of the plurality of database storage facilities in another logically partitioned section of the at least one database storage facility, wherein storing the copy of the original metadata set located in the another database storage facility is based on the user identifier.* Metadata storage is managed in order to store each metadata set in more than one logically partitioned section and in more than one database storage facility.

Independent claim 17 is directed to a network storage system for providing storage space for multiple users. The system comprises a file uploading component for uploading an image file from each user to the storage system and for deriving an image metadata set related to the uploaded image file. The system further comprises a plurality of database storage facilities for storing each image metadata set. *At least one database storage facility stores a first original image metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original image metadata set, the second original image metadata set located in another database storage facility, in another logically partitioned section of the at least one database storage facility, such that storing the first original image metadata set and the copy of the second original image metadata set is based on an user identifier.* The system further comprises a file management component for managing data storage in order to store each image metadata set in more than one logically partitioned section and in more than one

database storage facility, and for directing the image file to an image storage facility.

Independent claim 26 is directed to a method for storing user data for multiple users using a network storage system. The method comprises uploading a data set from a user to the storage system where the data set including an image file and deriving image metadata from the dataset. The method further comprises storing the image metadata in logically partitioned sections of database storage facilities, *wherein a first original image metadata set is stored in a logically partitioned section of at least one database storage facility and a copy of a second original image metadata set, the second original image metadata set located in another database storage facility, is stored in another logically partitioned section of the at least one database storage facility, such that storing the first original image metadata set and the copy of the second original image metadata is based on an user identifier.* The method further comprises managing the image metadata such that the data set is stored in more than one logically partitioned section and in more than one storage facility and directing the image file to an alternate storage facility.

Independent claim 36 is directed to a computer readable medium having computer executable instructions for storing user data for multiple users using a network storage system. The instructions comprise uploading a data set from a user to the storage system, the data set including an image file and deriving image metadata from the dataset. The instructions further comprise storing the image metadata in logically partitioned sections of database storage facilities, *wherein a first original image metadata is stored in a logically partitioned section of at least one database storage facility and a copy of a second original image metadata, the second original image metadata located in another database storage facility, is stored in another logically partitioned section of the at least*

one database storage facility, such that storing the first original image metadata and the copy of the second original image metadata is based on an user identifier. The instructions further comprise managing the image metadata such that the data set is stored in more than one logically partitioned section and in more than one storage facility and directing the image file to an alternate storage facility.

The Sim reference and the VanRooven reference, whether taken alone or in combination, fail to teach or suggest at least one database storage facility stores a first original metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original metadata set, the second original metadata set located in another database storage facility, in another logically partitioned section of the at least one database storage facility, such that storing the first original metadata set and the copy of the second original metadata set is based on an user identifier.

The Sim reference discloses an invention that provides a mechanism for distributing large files throughout a computer network and delivering such files to an end-user system. The Sim references discloses a plurality of storage devices 711-713 (Sim Fig. 7) that the Office Action alleges are similar to Applicant's database storage facilities.

However, it is respectfully submitted that Sim's storage devices are not partitioned into multiple sections. The Sim reference only discloses breaking a payload file up into multiple portions and storing the portions in locations distributed throughout a network. Therefore, Sim does not teach database storage facilities comprising "logically partitioned sections" as stated in claims 26 and 36, and does not teach each database

storage facility comprising "at least two logically partitioned sections" as stated in claims 1, 9, and 17.

Moreover, the Sim reference does not teach a storage device, one of storage devices 711-713, storing an original metadata set in one of its logically partitioned sections and storing a copy of original metadata located at another storage device in another of its logically partitioned sections. Sim's storage device simply does not store a copy of metadata that is located in another storage device in a logically partitioned section located within itself. Moreover, the Sim reference does not teach storing metadata within logically partitioned sections of database storage facilities based on an user identifier. Therefore, the Sim reference fails to disclose these limitations of the claims.

The VanRooven reference is directed towards a method and system for failsafe recovery and upgrade of an operating system embedded within a peripheral or consumer electronic device. The VanRooven reference discloses portioning a hard disk into a plurality of file systems (*See*, VanRooven reference at Fig.2; col.3 line 63 - col. 4 line 16), wherein the Office Action reasons that the hard disk is equivalent to Applicant's database storage facility and the file systems are equivalent to Applicant's logically partitioned sections.

However, it is respectfully submitted that the VanRooven reference also does not disclose at least one database storage facility stores a first original metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original metadata set, the second original metadata set located in another database storage facility, in another logically partitioned section of the at least one

database storage facility, such that storing the first original metadata set and the copy of the second original metadata set is based on an user identifier.

In the VanRooven reference, the a hard disk does not store copies of metadata that are located in other hard disks in a file system located within itself. Moreover, the VanRooven reference does not teach storing metadata within logically partitioned sections of database storage facilities based on an user identifier. The VanRooven reference, therefore, fails to teach the above noted claim limitation. Thus, as the Sim reference and the VanRooven reference, whether taken alone or in combination, fail to teach all of the limitations of the rejected independent claims 1, 9, 17, 26 and 36, Applicants request withdrawal of the rejection. Accordingly, Applicants respectfully request a withdrawal the rejections of claims 2-4, 6-8, 10-12, 14-16, 18-20, 22-25 and 27-35 depend directly or indirectly from independent claims 1, 9, 17, 26 and 36, Applicants request withdrawal of the rejection of these claims as well.

C.) Obviousness Rejection Based on the Sim reference and the VanRooven reference in further view of the Vu reference

Claims 5 and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Sim reference and the VanRooven reference in view of US Publication Number 2004/0143582 to Vu (hereinafter the “Vu reference”). As the asserted references, whether taken alone or in combination, fail to teach or suggest all of the limitations of the rejected claims, the rejections are respectfully traversed.

As discussed above, independent claim 1 is directed to a database storage system for providing storage for metadata sets, where each metadata set is related to a file uploaded by a user over a network. The database storage system comprises a plurality of

database storage facilities for storing the metadata sets and each storage facility comprises at least two logically partitioned sections. *At least one database storage facility stores a first original metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original metadata set, the second original metadata set located in another database storage facility, in another logically partitioned section of the at least one database storage facility, such that storing the first original metadata set and the copy of the second original metadata set is based on an user identifier.* The database storage system further comprises a file management component for managing metadata storage in order to store each metadata set in more than one logically partitioned section and in more than one database storage facility.

Independent claim 9 is directed to a method for providing storage for metadata sets for multiple users where each metadata set is related to a file uploaded by a user over a network. The method comprises dividing a plurality of database storage facilities into at least two logically partitioned sections. *The method further comprises storing an original metadata set in a logically partitioned section of at least one of the plurality of database storage facilities, wherein storing the original metadata set is based on an user identifier. The method additionally comprises storing a copy of an original metadata set located in another database storage facility of the plurality of database storage facilities in another logically partitioned section of the at least one database storage facility, wherein storing the copy of the original metadata set located in the another database storage facility is based on the user identifier.* Metadata storage is managed in order to store each metadata set in more than one logically partitioned section and in more than one database storage facility.

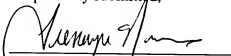
It is respectfully submitted that the Vu reference fails to cure the deficiencies noted above with respect to the Sim reference and the VanRooven reference regarding the independent claims from which claims 5 and 13 depend. More specifically, the Vu reference fails to teach or suggest at least one database storage facility stores a first original metadata set in one logically partitioned section of the at least one database storage facility and stores a copy of a second original metadata set, the second original metadata set located in another database storage facility, in another logically partitioned section of the at least one database storage facility, such that storing the first original metadata set and the copy of the second original metadata set is based on an user identifier. As such, the asserted references, whether taken alone or in combination, fail to teach all of the limitations of the independent claims 1 and 9 from which claims 5 and 13 depend. Accordingly, Applicants respectfully request a withdrawal of the rejections of claims 5 and 13.

CONCLUSION

Claims 1-20, and 22-36 are pending in this application. In view of the above remarks, Applicants respectfully request entry of this Amendment and acknowledgment of the same by a Notice of Allowance. Should, however, any issues remain before the issuance of this application, the Examiner is urged to contact the undersigned to expedite the resolution of the same. It is believed that no fee is due in connection with the present communication. However, if this belief is in error, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112 referencing Attorney Docket No. MFCP.103967.

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Respectfully submitted,



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